

DISCUSSION OF THE AMENDMENT

Claims 1-3, 5-8, and 10-22 are active in the present application. Claims 4 and 9 are canceled claims. Independent Claims 1 and 5 are amended herein to state that the anti-lumping additive is distributed only on the surface of the beads. Support for the amendment is found in paragraphs [0032]-[0039] and the Examples of the corresponding PG publication (i.e., U.S. 20050222280) which disclose that the beads of the claimed invention are made by distributing the anti-lumping additive on the surface of the beads after the beads have been formed. Applicants submit that it is readily evident that beads made by this method will have the anti-lumping additive distributed only on the surface of the beads. Claims 20-22 are new claims. Support for the new claims is found in the previously presented claims.

No new matter is believed to have been added by this amendment.

REMARKS

The Office newly rejected independent Claims 1 and 5 over a patent to Rubens (U.S. 3,086,347) in combination with Alvares (U.S. 3,991,020). Applicants submit that Claims 1 and 5 are patentable over the combination of Rubens and Alvares. Applicants note that the Office Action includes a typographical error in the patent number identification of the Rubens patent. Although Rubens is identified as U.S. 3,086,347 in the Office Action, the correct patent number is 3,086,247.

Present Claims 1 and 5 require that the anti-lumping additive is distributed only on the surface of the beads. This is different from the composition of Rubens where the prior art iron-containing additive is uniformly distributed throughout the prior art composition. See for example the paragraph bridging columns 2 and 3 of Rubens.

Applicants submit that the presently claimed invention is different from Rubens and thus the rejection should be withdrawn.

Applicants further draw the Office's attention to new Claims 20-22 where the beads contain Fe_2O_3 . In contrast, Rubens discloses the use of a different iron-containing material. For example, in column 3, lines 25-31 magnetic Fe_3O_4 is identified. Applicants submit that it is readily evident to those of ordinary skill in the art that Fe_3O_4 is different from Fe_2O_3 . Rubens does not disclose any composition containing Fe_2O_3 . Thus, the combination of Rubens and Alvares does not disclose or suggest the invention of new Claims 20-22.

The Office further rejected the claims as obvious over the combination of Tang (U.S. 2004/0121101) and Mason (U.S. 6,197,233). Tang is a pre-grant publication. The publication date of Tang is June 24, 2004. The filing date of Tang is December 20, 2002.

The present application is a 371 of PCT/EP03/07225 which was filed on July 3, 2003. Therefore, the U.S. effective filing date of the present application is July 3, 2003.

The present application claims priority to Italian Application MI2002/A001711 filed on July 31, 2002. Applicants reserve the right to submit a certified English translation of the priority document in this case. By submitting a certified English translation of the priority document, Applicants will have sworn behind the date as of which Tang is effective as prior art; namely, the December 20, 2002 filing date. By disqualifying Tang as prior art, Applicants have overcome the rejections over the combination of Tang and Mason.

Applicants request reconsideration in view of the arguments discussed in detail above and withdrawal of the rejections.

Respectfully submitted,

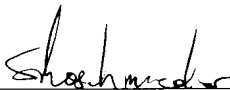
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